1877

G 11
No. 360-1877.
Encl No. 1-4

Transmission of
Memorials to
H.M.'s Government.

Enclosed

9
P. 57

1877.

From Mr. Under Secy: to Govt of India
Home Dept

To Chf Commr of Mysore & Coorg.

Dated 31st July 1877.

Despatched

Received 11th Augt 1877

Enclosures No. 4 spare copies.

General No. 1461 } 1877.
No.

Amending Rule VIII. in the rules
pubd under Home Dept Notn
No 3742 D/ 21st August 1867, regulating
the subn &c of memorials addd to
H. Ms: Govt

1- Mr Cuffe for attention
2- To Compiler Mysore Gazette

Le 33

No. 1461

HOME DEPARTMENT.

PUBLIC.

Simla, the 27th July 1877.

NOTIFICATION.

In the rules published under Home Department Notification No. 3742, dated the 21st August 1867, to regulate the submission, receipt and transmission of memorials addressed to Her Majesty's Government, the following Rule VIII has been substituted for the rule bearing the same number, and is published for general information :—

VIII.—No limit is fixed to the time within which an appeal from an act or order of the Governments in India must be preferred to the Home Government except in the case of appeals from a judicial decision in which the Judge is a Political Officer and in which the appeal ordinarily lies to Government in the Political Department. Such appeals* must be preferred within a period of twelve months from the date of communication to the persons concerned of the order to which objection is taken.

* When a judicial decision of the nature referred to has been communicated to the party or parties concerned before the date of this Notification, he or they may appeal from such decision within 18 months from the date of this Notification.

ARTHUR HOWELL,
Offg. Secretary to the Govt. of India.

No. 27/1469.

COPY forwarded to all Local Governments and Administrations for information and guidance, in continuation of Home Department Nos. 3743—3752, dated the 21st August 1867.

No. 27/1471.

COPY forwarded to the Chief Commissioner of Assam for information and guidance.

No. 27/1472.

COPY forwarded to the Legislative Department for information.

No. 27/1473/74.

COPY forwarded to the Financial and Public Works Departments for information, in continuation of Home Department Nos. 3758—3761, dated the 21st August 1867.

No. 27/1475/76.

COPY forwarded to the Military and Foreign Departments for information, with reference to their Nos. 310 S and 1630 G, dated 14th and 18th ultimo, respectively.

No. 27/1477.

COPY forwarded to the Department of Revenue, Agriculture and Commerce for information, with reference to their No. 454, dated the 15th ultimo. The point discussed in the papers received with endorsement No. 173, dated the 2nd March last, is still under consideration in connection with the general question of revising the rules of 21st August 1867.

L Smith
Offg. Under Secretary to the Govt. of India.

Govt. Central Branch Press, Simla, No. 444 H. D.—30-7-77—256.

1878

From Offg. Secy. to Govt. of India, Home Dept.

To Chief Comm. of Mysore & Coorg.

Dated 29 March 1878.

Despatched

Received 8 April 1878.

Enclosures No. 4 spare copies.

General No. 16 } 1878
No. 715 }

Forwards copy of Notfn. laying down rules for the submn., receipt, & transmission of memorials & other papers of the same class, addressed to H. M. the Queen, Empress of India, or to the right Honble the Secy. of State for India, by private persons or by officers of all civil departments.

Distribution as ordered
& certain minutes
by Secy.

Soundarajan Nadu
8.4.78

No. 707

HOME DEPARTMENT.

PUBLIC.

Fort William, the 29th March 1878.

NOTIFICATION.

The following rules for the submission, receipt, and transmission of memorials and other papers of the same class, addressed to Her Majesty the Queen, Empress of India, or to the Right Honourable the Secretary of State for India, by private persons or by officers of all civil departments, are published for general information; and the rules published under Home Department Notifications No. 3742, dated 21st August 1867, and No. 1461, dated 31st July 1877, are cancelled:

N. B.—These rules do not in any way affect or supersede orders issued on the same subject by the military authorities for the guidance of the Army.

I.—No memorial will be received or attended to unless forwarded as hereinafter prescribed.

II.—Every memorial should be accompanied by a letter requesting its transmission to the authority to which it is addressed.

III.—Every memorial addressed to Her Majesty or to the Secretary of State for India should be forwarded through the Local Government under which the writer is residing or is employed.

IV.—Memorials to Her Majesty or to the Secretary of State from persons in the Madras and Bombay Presidencies should be forwarded direct by the Local Government, with a full statement of facts and an expression of opinion, except in the case of memorials which relate to any rule or standing order of the Government of India, or which, if granted, would cause expenditure for which the Imperial and not the Local Government would be primarily responsible, or which relate to any legislative proceeding of the Governor General in Council. Such memorials should be forwarded with a covering letter containing a full statement of facts and an expression of opinion to the Government of India in the Department having cognizance of the subject-matter of such memorial, by which Department the memorials will be transmitted to the Secretary of State.

V.—Memorials to Her Majesty or to the Secretary of State from persons in Bengal, the North-Western Provinces and Oudh, or the Punjab, should be forwarded by the Local Government, with a full statement of facts and an expression of opinion, to the Government of India in the proper Department for transmission to the authority addressed.*

* Appeals by private persons from the orders of Lieutenant-Governors lie, in the first instance, to the Governor General in Council. An appeal to the Secretary of State will lie only in the event of an appeal to the Governor General in Council having been rejected.

VI.—Memorials to Her Majesty or to the Secretary of State from persons in the minor Administrations—the Central Provinces, British Burma, Berar, Mysore, Coorg and Assam—should be forwarded with a full statement of facts and an expression of opinion by the Chief Commissioner, or other officer charged with the administration of the Province, to the Government of India in the proper Department for transmission to the authority addressed.*

* In these minor Administrations also appeals by individuals from the orders of the Chief Commissioners, &c., lie, in the first instance, to the Governor General in Council and thereafter to the Secretary of State.

VII.—No limit is fixed to the time within which an appeal from an order of the Governments in India must be preferred to the Home Department, except in the case of appeals from a judicial decision in which the Judge is a political officer and in which the appeal ordinarily lies to Government in the political department. Such appeals* must be preferred within a period of twelve months from the date of communication to the persons concerned of the order to which objection is taken.

* When a judicial decision of the nature referred to has been communicated to the party or parties concerned before the 31st July 1877, he or they may appeal from such decision within 18 months from that date.

VIII.—Memorials may be transmitted either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet.

IX.—Memorials, together with their accompanying documents, should be in English. If the accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist.

N. B.—It will be well for the transmitting office to examine such translations, and if they are found to be incorrect or faulty, to notice the fact in sending on the memorial.

X.—It is not necessary that memorials should be forwarded in duplicate or triplicate. The originals will invariably be transmitted to England, a copy being made and retained by the Government of India, if necessary, for record.

XI.—As a general rule, the transmission to England of a memorial duly forwarded through the proper channel will not be delayed by the transmitting Government in India beyond a month after the receipt of such memorial.

XII.—Governments and Administrations in India are vested with discretionary power to withhold the transmission of memorials addressed to Her Majesty or to the Secretary of State in the following cases:

1.—When a memorial is illegible or unintelligible.

2.—When a memorial contains disrespectful or improper language.

3.—When a second memorial is presented after a decision has already been given by the authority to which it is addressed and when no new facts or circumstances are adduced which afford grounds for a re-consideration of the case. A memorial addressed to Her Majesty by a person whose appeal to the Secretary of State has already been rejected, shall be held to be a second memorial to the same authority and shall not be transmitted.

4.—When a memorial is a mere application for pecuniary assistance by a person manifestly possessing no claim.

5.—When a memorial is an application for employment under one of the Governments in India from a person not belonging to the covenanted service.

6.—When a memorial is a mere appeal from a judicial decision.

7.—When a memorial is addressed by an officer still in the public service and has reference to his prospective claim to pension.

XIII.—The Government of India may withhold the transmission of a memorial addressed to Her Majesty or to the Secretary of State unless the memorialist has previously memorialised the Government of India and the Local Government concerned on the same subject.

XIV.—A list of memorials withheld under the discretionary power conferred by Rule XII. will be forwarded quarterly to the Government of India in the case of

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memorials withheld by Local Governments under the same discretionary power, and by the Government of India in the Department concerned to the Secretary of State.

JAMES O'KINEALY,
Offg. Secretary to the Govt. of India.

No. 1615

Copy forwarded to all Local Governments and Administrations for information and guidance.

No.

Copy forwarded to the several Departments of the Govt of India ~~Department~~ for information with reference to their No. , dated

No.

Copy forwarded to the Superintendent of Port Blair and the Nicobars, Director General of the Archæological Survey of India, Sanitary Commissioner with the Government of India, Secretary to the Board of Examiners, and the Registrar of the Calcutta University for information.

J. O'Kineally

Offg. Secretary to the Govt. of India.

To

The Chief Commissioner of Mysore & Coorg.

Exd.—D. N. M.

Home Dept. Press—No. 228- -28-3-78—646.

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Kopie

Deckblatt

Anschreiben [illegible] 1

Inhaltsverzeichnis 2

[illegible] 1

Gutachten 2

1876. 6750

From The Offg. Under Secy to the Govt. of India Home Department

To The Chief Comr Mysore & Coorg

Dated 24th March

Despatched

Received 8th June

Enclosures No. 5 Spare Copies

General No. 972

No. Memorials

in continuation of Endorsement No. 16. dated 29th March last

forwards Copy of a Notification containing an alteration in Rule 7 of the Rules published in Home Department Notification No. 707 dated 29th March last

No. 972.

HOME DEPARTMENT.

PUBLIC.

Simla, the 24th May 1878.

NOTIFICATION.

ERRATUM.

IN Rule VII of the Rules published in Home Department Notification No. 707, dated 29th March last, for the words "Home Department" read "Home Government."

H. C. Bernard

Offg. Secretary to the Govt. of India.

No. 971/980.

COPY forwarded to all Local Governments and Administrations for information, in continuation of endorsement No. 705/17, dated 29th March last.

No.

COPY forwarded to the several Departments of the Government of India for information, in continuation of endorsement No. 719/23, dated 29th March last.

No.

COPY forwarded to the Superintendent of Port Blair and the Nicobars, Director General of the Archæological Survey of India, Sanitary Commissioner with the Government of India, Secretary to the Board of Examiners, and the Registrar of the Calcutta University, for information, in continuation of No. 724/28, dated 29th March last.

C. Buckland

Offg. Under Secretary to the Govt. of India.

Govt. Central Branch Press, Simla,—No. 127 H. D.—24-5-78—800.

To The Chief Commissioner of Mysore & Coorg

1879 O.S. 128. 154

From Offg: Under Secy: to Govt. of India, Home Dept.

To Ch: Commr. of Mysore & Coorg.

Dated 30 January 1879.

Despatched

Received 6 February 1879.

Ref. 7 Enclosures No. 5 spare copies.

General No. 9 / No. 216 } 1879.

Forwards, in contn. of endorsement No. 16-708 to 717, of 29 March last, copy of Notification making an addition to Rule XII. of the Rules for the transmission of Memorials to H. M's: Govt.

Mem. Recommend addl clause to Rule XII. - as advised by Ch: Comr. -

29.11.79

attended to.

29.11